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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/522,520

08/14/2006

Gerd Mossakowski

102132-24

1458

27388 7590 08/18/2009
NORRIS, MCLAUGHLIN & MARCUS
875 THIRD AVE
18TH FLOOR
NEW YORK, NY 10022

EXAMINER

DOAN, KIET M

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

08/18/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/522,520	Applicant(s) MOSSAKOWSKI, GERD	
	Examiner KIET DOAN	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is response to Applicant's Remarks file on 06/02/2009.
Claim 26 is amended.
Claims 27-31 are new.

Response to Arguments

2. Applicant's arguments filed 06/02/2009 have been fully considered but they are not persuasive.

In response to applicant's argument in claim 1 that prior art does not rejected "checking that a subscriber relationship (8, 9) of the mobile communication system **and/or** a temporary IP address is associated with a corresponding transmitter and receiver, wherein the two subscriber relationships and/or the IP addresses are linked in a database of the operator (11) of the mobile communication system, and checking that an authorization of the receiver for receiving the video data from the transmitter, based on the linked data".

The examiner respectfully disagrees in several reasons. Firstly, the examiner must give each claim its broadest, reasonable interpretation.

a) The claim language is written in a way that allow the examiner have an option of select the limitation to rejection such as "**and/or**" which does not have to including all the limitation of claim.

b). Ortiz clearly teaches "checking that a subscriber relationship (8, 9) of the mobile communication system" (Paragraph [0071], [0073], [0076], teach when handheld

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device authorized than the handheld device received video and decrypted which is read on checking subscriber relationship authorization for receiving video data).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 15, 18, 21, 22, 23, 25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart et al. (US 2003/0107648 A1) in view of Ortiz et al. (US 2003/0112354 A1).

Consider **claims 15**. Stewart teaches a method for video object monitoring with a mobile communication system, wherein for transmitting video data via the mobile communication system a connection is set up between a transmitter provided with a video camera and at least one receiver (Paragraphs [0018-0019], Fig.1 Illustrate surveillance video source 18 transmitting video data and setup between a transmitter provided with a video camera and at least one receive/client device14), the method comprising the steps of

before or while the connection is set up, checking by a device of the mobile communication system if the receiver is authorized to receive video data from the transmitter (Paragraphs [0019-0020] teach the access module 30 that

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authenticated/permitting (or not) the client device 14 to received video). **Stewart fails to explicitly teach**

checking that a subscriber relationship (8, 9) of the mobile communication system and/or a temporary IP address is associated with a corresponding transmitter and receiver, wherein the two subscriber relationships and/or the IP addresses are linked in a database of the operator (11) of the mobile communication system, and

checking that an authorization of the receiver for receiving the video data from the transmitter, based on the linked data.

In an analogous art, **Ortiz teaches** checking that a subscriber relationship (8, 9) of the mobile communication system (Paragraph [0071], [0073], [0076], teach handheld device can only decrypted the video data when authorize) and/or a temporary IP address is associated with a corresponding transmitter and receiver, wherein the two subscriber relationships and/or the IP addresses are linked in a database of the operator (11) of the mobile communication system, and

checking that an authorization of the receiver for receiving the video data from the transmitter, based on the linked data (Paragraphs [0058-0059] teach the security module that utilized for security/permit data transmitted from or to handheld device).

Therefor, it would have been obvious at the time that the invention was made to modify Stewart with Ortiz's system such that checking the mobile device authentication when receiving video data in order to provide the security and safe guard when transmitting movie/video to the correct mobile device.

Consider **claim 18**. The combination of Stewart and Ortiz teach the method according to claim 15. Further, Stewart teaches comprising the step of storing routing rules for transmitting video data between the transmitter and receiver in the database (Paragraph [0018-0019]).

Consider **claim 21**. The combination of Stewart and Ortiz teach the method according to claim 15. Further, Stewart teaches comprising the step of setting up a connection or transmitting data only upon a request from the transmitter and/or the receiver (Paragraph [0018-0019], Fig.1 Illustrate and described as set up and transmitted data only upon a request).

Consider **claim 22**. The combination of Stewart and Ortiz teach the method according to claim 15. Further, Stewart teaches comprising the step of setting up a connection or transmitting data between transmitter and receiver only based on a triggering event (Fig.1 Illustrate and described)

Consider **claims 23 and 27**. The combination of Stewart and Ortiz teach the method according to claim 15, Further, Ortiz teaches comprising the step of transmitting audio data and/or data from sensors located on the transmitter-side in addition to the video data (Paragraph [0056]).

Consider **claim 25**. The combination of Stewart and Ortiz teach the method according to claim 15. Further, Stewart teaches comprising the step of transmitting the video data in form of transmission protocols that are standardized for use in the mobile communication system (Paragraphs [0021-0022]).

5. Claims 16, 17, 19, 20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart et al. (US 2003/0107648 A1) in view of Ortiz et al. (US 2003/0112354 A1 and further view of Stubbs (US 6,930,994 B1).

Consider **claim 16**. The combination of Stewart and Ortiz teach the method according to claim 15, **but is silent on** comprising steps of storing information about an international mobile subscriber identification (IMSI) and/or a mobile subscriber telephone number (MSISDN) and/or an IP address assigned to the transmitter and the receiver in the database.

In an analogous art, Stubbs teaches comprising steps of storing information about an international mobile subscriber identification (IMSI) and/or a mobile subscriber telephone number (MSISDN) and/or an IP address assigned to the transmitter and the receiver in the database (Col.1, lines 55-65, Fig.1, show switching center 2 wherein storing international mobile subscriber identification (IMSI).

Therefore, it would have been obvious at the time that the invention was made to modify Stewart and Ortiz with Stubbs's system, such that storing information about an international mobile subscriber identification (IMSI) in order to improve the controlling data that transmitted to the correct mobile device.

Consider **claim 17**. The combination of Stewart and Ortiz and Stubbs teach the method according to claim 16. Further, Stubbs teaches a step of setting up a connection between transmitter and receiver by dialing the associated mobile subscriber telephone number (MSISDN) or an IP address (Col.6, lines 15-20).

Consider **claim 19**. The combination of Stewart and Ortiz and Stubbs teach the method according to claim 16. Further, Stubbs teaches comprising the step of requiring a corresponding subscriber identification module SIM (5, 6) of the mobile communication system for operating the transmitter and the receiver (Col.8, lines 34-40).

Consider **claim 20**. The combination of Stewart and Ortiz and Stubbs teach the method according to claim 19. Further, Stubbs teaches comprising the step of controlling access to the mobile communication system in the form of an identification and authentication of the transmitter and the receiver based on the data stored on the subscriber identification module (5, 6) (Col.1, lines 60-67, Col.2, lines 1-13).

Consider **claim 24**. The combination of Stewart and Ortiz and Stubbs teach the method according to claim 15. Further, Stubbs teaches comprising the step of implementing the mobile communication system as a GSM or UMTS mobile communication system (Col.1, lines 40-53).

6. Claims 26, 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ortiz et al. (US 2003/0112354 A1) in view of Script et al. (US 2003/0020611 A1).

Consider **claim 26**. Ortiz teaches a device for video object monitoring with a mobile communication system, comprising

a transmitter provided with a video camera for recording video data (Paragraphs [0016], [0071], Fig.4 Illustrate and teach video camera 71 recording and transmit video to mobile device),

at least one receiver capable of receiving the video data, the mobile communication system for transmitting the video data between the transmitter and the receiver (Paragraphs [0020], [0079] teach mobile device received video data from camera 71). **Ortiz fails to explicitly teach**

a database of the mobile communication system for linking two subscriber relationships and/or IP addresses, and

a device (10) for checking, based on the data stored in the database, if a subscriber relationship (8, 9) of the mobile communication system and/or IP address

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associated with the transmitter and the receiver are linked; and if the receiver is authorized to receive the video data from the transmitter.

In an analogous art, **Script teaches** a database of the mobile communication system for linking two subscriber relationships (Paragraphs [0106-0107] teach computer 261 which storing plurality subscriber) and/or IP addresses, and

a device (10) for checking, based on the data stored in the database, if a subscriber relationship (8, 9) of the mobile communication system and/or IP address associated with the transmitter and the receiver are linked; and if the receiver is authorized to receive the video data from the transmitter (Paragraph [0109] teach checking/identifying for authentication the subscriber).

Therefore, it would have been obvious at the time that the invention was made to modify Ortiz with Script's system such that, transmitting video to receiver wherein the database of the receiver information store and check/verify in order to provide accuracy with instant video to the mobile device/subscribers.

Consider **claim 29**. The combination of Ortiz and Script teach the device according to claim 26, further Ortiz teaches wherein routing rules for transmitting video data between the transmitter and receiver is stored in the database (Paragraph [0082], Fig.6, No.100).

Consider **claim 30**. The combination of Ortiz and Script teach the device in accordance with claim 26, further Script teaches wherein a connection or transmitting data between transmitter and receiver is set up only based on a triggering event (Paragraph [0012], [0050-0051]).

Consider **claim 31**. The combination of Ortiz and Script teach the device in accordance with claim 30, wherein the triggering event is detection of movement by a motion sensor or a regularly scheduled time interval (Paragraph [0014]).

7. Claims 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ortiz et al. (US 2003/0112354 A1) in view of Script et al. (US 2003/0020611 A1) and further view of Stubbs (US 6,930,994 B1).

Consider **claim 28**. The combination of Ortiz with Script teach the method according to claim 15, **but is silent on** comprising steps of storing information about an international mobile subscriber identification (IMSI) and/or a mobile subscriber telephone number (MSISDN) and/or an IP address assigned to the transmitter and the receiver in the database.

In an analogous art, **Stubbs teaches** comprising steps of storing information about an international mobile subscriber identification (IMSI) and/or a mobile subscriber telephone number (MSISDN) and/or an IP address assigned to the transmitter and the

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receiver in the database (Col.1, lines 55-65, Fig.1, show switching center 2 wherein storing international mobile subscriber identification (IMSI).

Therefore, it would have been obvious at the time that the invention was made to modify Ortiz with Script with Stubbs's system, such that storing information about an international mobile subscriber identification (IMSI) in order to improve the controlling data that transmitted to the correct mobile device.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIET DOAN whose telephone number is (571)272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kiet Doan/
Examiner, Art Unit 2617

**/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617**